



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Atty. Docket No: 54275.8010.US00

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In re patent application of

LIPTON, JAMES M.

Serial No. 09/774,282

Filed: January 29, 2001

For: A COMPOUND AND METHOD OF TREATMENT FOR FUNGAL PATHOLOGIES
OF THE ORAL CAVITY

STATEMENT TO SUPPORT FILING AND SUBMISSION IN
ACCORDANCE WITH 37 C.F.R. §§ 1.821-1.825

Assistant Commissioner for Patents
PO Box 1450
Alexandria, Virginia 22313-1450
Box SEQUENCE

Sir:

In connection with a Sequence Listing submitted concurrently
herewith, the undersigned hereby states that:

1. the submission, filed herewith in accordance with 37
C.F.R. § 1.821(g), does not include new matter;

2. the content of the attached paper copy and the
attached computer readable copy of the Sequence Listing, submitted in
accordance with 37 C.F.R. § 1.821(c) and (e), respectively, are the same.

Respectfully submitted,

David M. Narkunas
Reg. No. 53,370

June 6, 2003

Date

HARBOR CONSULTING IP SERVICES, INC.
1500A Lafayette Road, #262
Portsmouth, N.H.
800-318-3021

Application No.: 09/774,282

**NOTICE TO COMPLY WITH REQUIREMENTS FOR PATENT APPLICATIONS CONTAINING
NUCLEOTIDE SEQUENCE AND/OR AMINO ACID SEQUENCE DISCLOSURES**

The nucleotide and/or amino acid sequence disclosure contained in this application does not comply with the requirements for such a disclosure as set forth in 37 C.F.R. 1.821 - 1.825 for the following reason(s):

- 1.** This application clearly falls to comply with the requirements of 37 C.F.R. 1.821-1.825. Applicant's attention is directed to these regulations, published at 1114 OG 29, May 15, 1990 and at 55 FR 18230, May 1, 1990.
- ☒ **2.** This application does not contain, as a separate part of the disclosure on paper copy, a "Sequence Listing" as required by 37 C.F.R. 1.821(c).
- ☒ **3.** A copy of the "Sequence Listing" in computer readable form has not been submitted as required by 37 C.F.R. 1.821(e).
- ☐ **4.** A copy of the "Sequence Listing" in computer readable form has been submitted. However, the content of the computer readable form does not comply with the requirements of 37 C.F.R. 1.822 and/or 1.823, as indicated on the attached copy of the marked -up "Raw Sequence Listing."
- ☐ **5.** The computer readable form that has been filed with this application has been found to be damaged and/or unreadable as indicated on the attached CRF Diskette Problem Report. A Substitute computer readable form must be submitted as required by 37 C.F.R. 1.825(d).
- ☐ **6.** The paper copy of the "Sequence Listing" is not the same as the computer readable form of the "Sequence Listing" as required by 37 C.F.R. 1.821(e).
- ☐ **7. Other:** Applicant should follow the format of the attached sample statement to request that the CRF file in the parent application be used to create a CRF in this application.

Applicant Must Provide:

- ☒ An Initial or substitute computer readable form (CRF) copy of the "Sequence Listing".
- ☒ An Initial or substitute paper copy of the "Sequence Listing", as well as an amendment directing its entry into the specification.
- ☒ A statement that the content of the paper and computer readable copies are the same and, where applicable, include no new matter, as required by 37 C.F.R. 1.821(e) or 1.821(f) or 1.821(g) or 1.825(b) or 1.825(d).

For questions regarding compliance to these requirements, please contact:

For Rules Interpretation, call (703) 308-4216

For CRF Submission Help, call (703) 308-4212

For Patent/In software help, call (703) 308-6856

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